

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN DIVISION

United States District Court  
Southern District Of Texas  
FILED

UNITED STATES OF AMERICA

FEB 25 2020

v.

David J. Bradley, Clerk

IRVIN GARCES

also known as "Chocs"

RAMON MENDEZ

JOSE RAUL TAMEZ

RUBEN CHAVEZ-RUVALCABA

also known as "Chinolias"

ANDRES TREVINO

also known as "Bollo Dodge"

also known as "Pollo"

LUIS EDUARDO VARGAS

also known as "Wicho"

OMAR GARCIA

JAVIER GARCIA

also known as "Jaibo"

ALEJANDRO TAMEZ

also known as "Alex"

ELSA ALEMAN

FRANCISCO TAMEZ

also known as "Frankie"

FIDEL SALDANA

EMILIO DE LA GARZA

also known as "D-Lo"

FERNANDO CANTU

also known as "Bolas"

JOSE RUBEN RUVALCABA-VALDEZ

also known as "Chinolias"

PEDRO RUBIO

Criminal No. M-19-1205-S3

SEALED THIRD SUPERSEDING INDICTMENT

**THE GRAND JURY CHARGES:**

**Count One**

From on or about March 17, 2016, to on or about October 11, 2019, in the Southern District of Texas and within the jurisdiction of the Court, defendants,

**IRVIN GARCES**  
also known as "Chocs"  
**RAMON MENDEZ**  
**ANDRES TREVINO**  
also known as "Bollo Dodge"  
also known as "Pollo"  
**LUIS EDUARDO VARGAS**  
also known as "Wicho"  
**OMAR GARCIA**  
**FERNANDO CANTU**  
also known as "Bolas"

did knowingly and intentionally conspire and agree together and with other persons known and unknown to the Grand Jurors, to possess with intent to distribute a controlled substance. The controlled substance involved was 500 grams or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 846, 841(a)(1), and 841(b)(1)(B).

**Count Two**

From on or about March 17, 2016 through on or about October 11, 2019, in the Southern District of Texas and within the jurisdiction of the Court, defendants,

**IRVIN GARCES**  
also known as "Chocs"  
**JOSE RAUL TAMEZ**  
**RUBEN CHAVEZ-RUVALCABA**  
also known as "Chinolias"  
**LUIS EDUARDO VARGAS**  
also known as "Wicho"  
**OMAR GARCIA**

**JAVIER GARCIA**  
also known as "Jaibo"  
**ALEJANDRO TAMEZ**  
also known as "Alex"  
**ELSA ALEMAN**  
**FRANCISCO TAMEZ**  
also known as "Frankie"  
**FIDEL SALDANA**

**EMILIO DE LA GARZA**  
also known as "D-Lo"

**FERNANDO CANTU**  
also known as "Bolas"

**JOSE RUBEN RUVALCABA-VALDEZ**  
also known as "Chinolas"

did knowingly and intentionally conspire and agree together and with other persons known and unknown to the Grand Jurors, to knowingly possess a firearm, during and in relation to a drug trafficking offense and crime of violence for which they may be prosecuted in a court of the United States, namely, Conspiracy to Possess with Intent to Distribute a Controlled Substance, to wit a mixture or substance containing a detectable amount of cocaine and marijuana, in violation of Title 21 United States Code Sections 841 and 846, Hobbs Act Robbery in violation of Title 18 United States Code Section 1951(a), and Carjacking in violation of Title 18 United States Code Section 2119.

In violation of Title 18, United States Code, Sections 924(c)(1)(A)(i) and 924(o).

**Count Three**

On or about April 22, 2017, in the Southern District of Texas and within the jurisdiction of the Court, defendants,

**IRVIN GARCES**  
also known as "Chocs"  
and  
**JAVIER GARCIA**  
also known as "Jaibo"

did unlawfully obstruct, delay, and affect commerce and the movement of articles and commodities in commerce by robbery and attempt to obstruct, delay, and affect commerce and the movement of articles and commodities in commerce by robbery, in that the defendants did unlawfully take and attempted to take controlled substances and drug proceeds from individuals.

In violation of Title 18, United States Code, Sections 1951(a) and 2.

**Count Four**

On or about July 4, 2017, in the Southern District of Texas and within the jurisdiction of the Court, defendant,

**LUIS EDUARDO VARGAS**  
also known as "Wicho"

did knowingly and intentionally conspire and agree together and with other persons known and unknown to the Grand Jurors, to possess with intent to distribute a controlled substance. The controlled substance involved was 100 kilograms or more of a mixture or substance containing a detectable amount of marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 846, 841(a)(1), and 841(b)(1)(B).

**Count Five**

On or about July 4, 2017, in the Southern District of Texas and within the jurisdiction of the Court, defendant,

**LUIS EDUARDO VARGAS**  
also known as "Wicho"

did unlawfully obstruct, delay, and affect commerce and the movement of articles and commodities in commerce by robbery and attempt to obstruct, delay, and affect commerce and the

movement of articles and commodities in commerce by robbery, in that the defendants did unlawfully take and attempted to take controlled substances and drug proceeds from individuals.

In violation of Title 18, United States Code, Sections 1951(a) and 2.

**Count Six**

On or about December 4, 2017, in the Southern District of Texas and within the jurisdiction of the Court, defendants,

**ALEJANDRO TAMEZ**  
also known as "Alex"  
and  
**ELSA ALEMAN**

did unlawfully obstruct, delay, and affect commerce and the movement of articles and commodities in commerce by robbery and attempt to obstruct, delay, and affect commerce and the movement of articles and commodities in commerce by robbery, in that the defendant did unlawfully take and attempted to take controlled substances and drug proceeds from individuals.

In violation of Title 18, United States Code, Sections 1951(a) and 2.

**Count Seven**

On or about December 4, 2017, in the Southern District of Texas and within the jurisdiction of the Court, defendants,

**ALEJANDRO TAMEZ**  
also known as "Alex"  
and  
**ELSA ALEMAN**

aiding and abetting each other, did knowingly carry and brandish a firearm, during and in relation to a drug trafficking offense and crime of violence for which they may be prosecuted in a court of the United States, namely, Conspiracy to Possess with Intent to Distribute a Controlled Substance in violation of Title 21 United States Code Sections 841 and 846 and Hobbs Act Robbery in violation of Title 18 United States Code Section 1951(a).

All in violation of Title 18, United States Code, Sections 924(c)(1)(A)(ii) and 2.

**Count Eight**

On or about October 20, 2018, in the Southern District of Texas and within the jurisdiction of the Court, defendant,

knowingly having been convicted of a crime punishable by imprisonment for a term exceeding one year, namely, Possession of Marijuana in an Amount Greater than Four Ounces but Less Five Pounds in Cause Number CR-4798-17-D in the 206th Judicial District Court in Hidalgo County, Texas on January 26, 2018, did knowingly and unlawfully possess in and affecting interstate and foreign commerce a firearm, namely, a Colt pistol.

In violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

**Count Nine**

On or about November 18, 2018, in the Southern District of Texas and within the jurisdiction of the Court, defendant,

**FIDEL SALDANA**

did unlawfully obstruct, delay, and affect commerce and the movement of articles and commodities in commerce by robbery and attempt to obstruct, delay, and affect commerce and the movement of articles and commodities in commerce by robbery, in that the defendant did unlawfully take and attempted to take controlled substances and drug proceeds from individuals.

In violation of Title 18, United States Code, Sections 1951(a) and 2.

**Count Ten**

On or about November 18, 2018, in the Southern District of Texas and within the jurisdiction of the Court, defendant,

**FIDEL SALDANA**

aiding and abetting others, did knowingly carry and brandish a firearm, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, namely, Hobbs Act Robbery in violation of Title 18 United States Code Section 1951(a).

All in violation of Title 18, United States Code, Sections 924(c)(1)(A)(ii) and 2.

**Count Eleven**

On or about May 10, 2019, in the Southern District of Texas and within the jurisdiction of the Court, defendants,

**IRVIN GARCES**  
also known as "Chocs"  
**JOSE RAUL TAMEZ**  
**RUBEN CHAVEZ-RUVALCABA**  
also known as "Chinolias"

**EMILIO DE LA GARZA**  
also known as "D-Lo"

did unlawfully obstruct, delay, and affect commerce and the movement of articles and commodities in commerce by robbery and attempt to obstruct, delay, and affect commerce and the movement of articles and commodities in commerce by robbery, in that the defendant did unlawfully take and attempted to take controlled substances and drug proceeds from individuals.

In violation of Title 18, United States Code, Sections 1951(a) and 2.

**Count Twelve**

On or about May 10, 2019, in the Southern District of Texas and within the jurisdiction of the Court, defendants,

**IRVIN GARCES**  
also known as "Chocs"  
**JOSE RAUL TAMEZ**  
**RUBEN CHAVEZ-RUVALCABA**  
also known as "Chinolias"

**EMILIO DE LA GARZA**  
also known as "D-Lo"

aiding and abetting others, did knowingly carry and brandish a firearm, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, namely, Hobbs Act Robbery in violation of Title 18 United States Code Section 1951(a).

All in violation of Title 18, United States Code, Sections 924(c)(1)(A)(ii) and 2.

**Count Thirteen**

On or about October 11, 2019, in the Southern District of Texas and within the jurisdiction of the Court, defendants,

**JOSE RAUL TAMEZ**  
and  
**FERNANDO CANTU**  
also known as "Bolas"

did unlawfully obstruct, delay, and affect commerce and the movement of articles and commodities in commerce by robbery and attempt to obstruct, delay, and affect commerce and the movement of articles and commodities in commerce by robbery, in that the defendant did unlawfully take and attempted to take controlled substances and drug proceeds from individuals.

In violation of Title 18, United States Code, Sections 1951(a) and 2.

**Count Fourteen**

On or about October 11, 2019, in the Southern District of Texas and within the jurisdiction of the Court, defendants,



**JOSE RAUL TAMEZ**  
and  
**FERNANDO CANTU**  
also known as "Bolas"

took and attempted to take a motor vehicle, namely, a Chevrolet Impala, that had been transported, shipped, and received in interstate and foreign commerce from and in the presence of Francisco Gonzalez by force, violence, and intimidation, with the intent to cause death and serious bodily harm.

In violation of Title 18, United States Code, Sections 2119 and 2.

**Count Fifteen**

On or about May 5, 2019, in the Southern District of Texas and within the jurisdiction of the Court, defendants,

**RUBEN CHAVEZ-RUVALCABA**  
also known as "Chinolias"  
**JOSE RUBEN RUVALCABA-VALDEZ**  
also known as "Chinolas"

did knowingly and intentionally conspire and agree together and with other persons known and unknown to the Grand Jurors, to possess with intent to distribute a controlled substance. The controlled substance involved was 100 kilograms or more of a mixture or substance containing a detectable amount of marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Sections 846, 841(a)(1), and 841(b)(1)(B).

**Count Sixteen**

On or about May 5, 2019, in the Southern District of Texas and within the jurisdiction of the Court, defendants,

**RUBEN CHAVEZ-RUVALCABA**  
also known as "Chinolias"  
**JOSE RUBEN RUVALCABA-VALDEZ**  
also known as "Chinolas"

did unlawfully obstruct, delay, and affect commerce and the movement of articles and commodities in commerce by robbery and attempt to obstruct, delay, and affect commerce and the movement of articles and commodities in commerce by robbery, in that the defendant did unlawfully take and attempted to take controlled substances and drug proceeds from individuals.

In violation of Title 18, United States Code, Sections 1951(a) and 2.

**Count Seventeen**

On or about May 5, 2019, in the Southern District of Texas and within the jurisdiction of the Court, defendants,

**RUBEN CHAVEZ-RUVALCABA**  
also known as "Chinolias"  
**JOSE RUBEN RUVALCABA-VALDEZ**  
also known as "Chinolas"

aiding and abetting each other, did knowingly carry and brandish a firearm, during and in relation to a drug trafficking offense and crime of violence for which they may be prosecuted in a court of the United States, namely, Conspiracy to Possess with Intent to Distribute a Controlled Substance in violation of Title 21 United States Code Sections 841 and 846 and Hobbs Act Robbery in violation of Title 18 United States Code Section 1951(a).

All in violation of Title 18, United States Code, Sections 924(c)(1)(A)(ii) and 2.

**Count Eighteen**

From on or about June 1, 2017 through on or about February 28, 2019, in the Southern District of Texas and within the jurisdiction of the Court, defendants,

**ANDRES TREVINO**  
**also known as "Bollo Dodge"**  
**also known as "Pollo"**  
**and**  
**PEDRO RUBIO**

did knowingly and intentionally conspire and agree together and with other persons known and unknown to the Grand Jurors, to possess with intent to distribute a controlled substance. The controlled substance involved was 500 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 846, 841(a)(1), and 841(b)(1)(A).

**Count Nineteen**

On or about October 16, 2017 through on or about October 17, 2017, in the Southern District of Texas and within the jurisdiction of the Court, defendants,

knowingly made, and aided and abetted the making of, a false statement and representation with respect to information required to be kept in the records of Academy Sports & Outdoors, in Edinburg, Texas, a federally licensed firearms dealer, in connection with the acquisition of two DPMS Panther Arms AR-15 5.56mm caliber rifles in that the defendant RENE SARMIENTO aided and abetted another individual who, falsely represented on the Bureau of Alcohol, Tobacco, and Firearms Form 4473, that another individual was the actual buyer of the firearm described above, which statement was intended and likely to deceive the federally licensed firearms dealer as to a fact material to the lawfulness of the sale of the firearm, when in truth and fact the defendants knew that those statements and representations were false and that RENE SARMIENTO was not the actual buyer of the firearms.

In violation of Title 18, United States Code, Sections 922(a)(6), 924(a)(2), and 2.

**Count Twenty**

On or about October 16, 2017 through on or about October 20, 2018, in the Southern District of Texas and within the jurisdiction of the Court, defendant,

did fraudulently and knowingly export and send from the United States, or attempt to export and send from the United States, any merchandise, article, or object, to wit: two DPMS Panther Arms AR-15 5.56mm caliber rifles; a Colt, Model Government, 9mm caliber pistol; and a Colt, Model Government, .45 caliber pistol contrary to Title 22, United States Code, Sections 2778(b)(2) and (c) and Title 22, Code of Federal Regulations, Sections 121.1, 123.1, 127.1, and 127.3, a law and regulation of the United States.

In violation of Title 18, United States Code, Sections 554(a) and 2.

**Count Twenty-One**

On or about January 24, 2020, in the Southern District of Texas and within the jurisdiction of the Court, defendant,

**RUBEN EDUARDO CHAVEZ-RUVALCABA**  
**also known as "Chinolias"**

an alien who had previously been denied admission, excluded, deported and removed knowingly and unlawfully entered, attempted to enter and was at any time found in the United States, to wit, near Mission, Texas, said defendant not having obtained the consent to reapply for admission into the United States from the Attorney General of the United States and Secretary of Homeland Security, the successor, pursuant to Title 6, United States Code, Sections 202(3), 202(4), and 557.

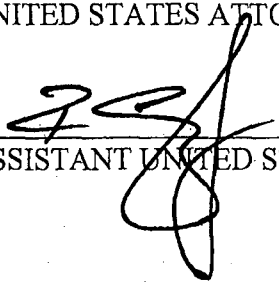
In violation of Title 8, United States Code, Sections 1326(a) and 1326(b).

A TRUE BILL

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FOREPERSON

RYAN K. PATRICK  
UNITED STATES ATTORNEY

  
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ASSISTANT UNITED STATES ATTORNEY